

MONTANA LEGISLATIVE HISTORY

BEST COPY
AVAILABLEChapter 225 ~~19~~ 2005Bill H 483 S _____Original bill & history ✓cH. Committee on Business LaborS. Committee on Business

Hearing Date(s) _____ c

2/8 ✓c

_____ c

_____ c

Date Out

2/9 ✓c

Hearing Date(s) _____ c

3/22 ✓c

_____ c

_____ c

3/24 ✓

Did this bill originate in an interim committee? ____ Yes ____ No

Committee _____

Report _____

HOUSE BILLS

393

3/29	TRANSMITTED TO SENATE		
4/01	REFERRED TO AGRICULTURE, LIVESTOCK AND IRRIGATION		
4/04	HEARING		
4/04	COMMITTEE EXECUTIVE ACTION—BILL CONCURRED	7	0
4/04	COMMITTEE REPORT—BILL CONCURRED		
4/05	2ND READING CONCURRED ON VOICE VOTE	50	0
4/05	TAKEN FROM 2ND READING; REREFERRED TO FINANCE AND CLAIMS	50	0
4/12	HEARING		
4/15	COMMITTEE EXECUTIVE ACTION—BILL CONCURRED	14	0
4/15	COMMITTEE REPORT—BILL CONCURRED		
4/18	3RD READING CONCURRED	40	10
	RETURNED TO HOUSE		
4/19	SENT TO ENROLLING		
4/22	RETURNED FROM ENROLLING		
4/22	SIGNED BY SPEAKER		
4/22	SIGNED BY PRESIDENT		
4/27	TRANSMITTED TO GOVERNOR		
5/06	SIGNED BY GOVERNOR		
5/06	CHAPTER NUMBER ASSIGNED		
	CHAPTER NUMBER 589		
	EFFECTIVE DATE: 7/01/2005 - ALL SECTIONS		

HB 483 INTRODUCED BY BERGREN

LC2146 DRAFTER: PETESCH

BINDING ARBITRATION FOR POLICE OFFICERS

1/29	INTRODUCED		
1/29	FISCAL NOTE REQUESTED		
1/29	REFERRED TO BUSINESS AND LABOR		
2/08	HEARING		
2/09	FISCAL NOTE RECEIVED		
2/09	COMMITTEE EXECUTIVE ACTION—BILL PASSED AS AMENDED	17	1
2/10	FISCAL NOTE PRINTED		
2/10	COMMITTEE REPORT—BILL PASSED AS AMENDED		
2/14	2ND READING PASSED	99	1
2/15	3RD READING PASSED	96	2
	TRANSMITTED TO SENATE		
2/22	REFERRED TO BUSINESS, LABOR, AND ECONOMIC AFFAIRS		
3/22	HEARING		
3/24	COMMITTEE EXECUTIVE ACTION—BILL CONCURRED	7	4
3/24	COMMITTEE REPORT—BILL CONCURRED		
4/01	2ND READING CONCURRED ON VOICE VOTE	48	2
4/02	3RD READING CONCURRED	47	3
	RETURNED TO HOUSE		
4/02	SENT TO ENROLLING		
4/05	RETURNED FROM ENROLLING		
4/05	SIGNED BY SPEAKER		
4/06	SIGNED BY PRESIDENT		
4/07	TRANSMITTED TO GOVERNOR		
4/15	SIGNED BY GOVERNOR		
4/15	CHAPTER NUMBER ASSIGNED		
	CHAPTER NUMBER 225		
	EFFECTIVE DATE: 7/01/2005 - ALL SECTIONS		

HB 484 INTRODUCED BY L. JONES

LC1712 DRAFTER: STERNBERG

MOBILE MEAT PROCESSOR LICENSING AND INSPECTION

1/29	INTRODUCED		
1/29	FISCAL NOTE REQUESTED		
1/29	REFERRED TO BUSINESS AND LABOR		
1/31	REREFERRED TO AGRICULTURE		
2/03	FISCAL NOTE RECEIVED		
2/04	FISCAL NOTE PRINTED		
2/08	HEARING		
2/18	COMMITTEE EXECUTIVE ACTION—BILL PASSED AS AMENDED	19	1
2/18	COMMITTEE REPORT—BILL PASSED AS AMENDED		
3/07	2ND READING PASSED	94	6
3/07	REREFERRED TO APPROPRIATIONS		
3/14	HEARING		
3/23	COMMITTEE EXECUTIVE ACTION—BILL PASSED AS AMENDED	16	4
3/23	COMMITTEE REPORT—BILL PASSED AS AMENDED		
3/23	REVISED FISCAL NOTE REQUESTED		
3/24	2ND READING PASSED	98	2

2005 Montana Legislature

About Bill -- Links



HOUSE BILL NO. 483

INTRODUCED BY BERGREN, GALVIN-HALCRO, VILLA, NOONAN, LANGE, PARKER, TROPILA, MATTHEWS,
WILSON, HARRINGTON, GOLIE, A. OLSON

AN ACT PROHIBITING POLICE OFFICERS FROM GOING ON STRIKE; PROVIDING FOR BINDING ARBITRATION
IN LABOR NEGOTIATIONS INVOLVING POLICE OFFICERS; PROVIDING PROCEDURES FOR BINDING
ARBITRATION; AMENDING SECTION 7-32-4114, MCA; AND PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Strikes by police officers prohibited. (1) It is unlawful for a police officer to strike or recognize a picket line of a labor organization while in the performance of official duties.

(2) (a) As used in this section, "strike" means an action listed in subsection (2)(b), in concerted action with others, for the purpose of inducing, influencing, or coercing a change in the conditions of employment, compensation, rights, privileges, or obligations of employment of a police officer.

(b) A police officer may not engage in the following actions in concert with others:

- (i) refusal to report for duty;
- (ii) willful absence from the police officer's position;
- (iii) stoppage of work; or
- (iv) departure from the full, faithful, or proper performance of duties of employment.

Section 2. Mediation of disputes. (1) If after a 150-calendar day period of good faith negotiation over the terms of an agreement, or 150 days after certification or recognition of an exclusive representative, an agreement has not been signed, either or both of the parties may notify the board of personnel appeals of the status of the negotiations and of the need for a mediator. The parties may agree to request a mediator before the end of the 150-day period. The 150-

day period begins when the parties meet for the first bargaining session and each party has received the other party's initial proposal. Upon receipt of the notification, the board of personnel appeals shall appoint a mediator and notify the parties of the appointment.

(2) (a) After 15 days of mediation, either party may declare an impasse. The mediator may declare an impasse at any time during the mediation process. Written notification of an impasse must be filed with the board of personnel appeals.

(b) Within 7 days of the declaration of an impasse, each party shall submit to the mediator the final written offer of the party, including a cost summary of the offer. Within 7 days of receipt of the final offers, the mediator shall make public the final offers, including any proposed contract language and each party's cost summary addressing those issues on which the parties have failed to reach an agreement. Each party's proposed contract language must be titled "Final Offer".

(c) Within 30 days after the mediator makes public the parties' final offers, the parties may agree to and, upon agreement, shall jointly petition the board of personnel appeals to appoint a fact finder. The fact finder must be appointed as provided in 39-31-308(2).

(d) If an agreement is not reached within 30 days after the mediator makes the final offers public or, if the parties participated in fact finding, within 30 days after the receipt of the fact finder's report, either party may petition the board of personnel appeals for binding arbitration. The petition must include a copy of each party's "Final Offer", as provided in subsection (2)(b).

Section 3. Binding arbitration -- policy. (1) It is the policy of the state that because the right of police officers to strike is prohibited by [section 1], it is necessary to the high morale of police officers and to the efficient operation of police departments to provide an alternative, expeditious, and effective procedure for the resolution of labor disputes through binding arbitration.

(2) Binding arbitration must be scheduled by mutual agreement no earlier than 30 days following the submission of the petition seeking binding arbitration under [section 2(2)(d)].

Section 4. Selection of arbitrator -- procedure -- cost-sharing. (1) (a) After receipt of the petition to arbitrate under [section 2(2)(d)], the board of personnel appeals shall submit a list of five qualified, disinterested, and unbiased individuals to the parties. Each party shall alternately strike two names from the list. The order of striking names must be determined by a coin toss. The remaining individual is the arbitrator.

(b) If the parties have not designated the arbitrator and notified the board of personnel appeals of their choice within 5 days of receipt of the list, the board of personnel appeals shall appoint the arbitrator from the names on the list. However, if one of the parties strikes names from the list, as provided in subsection (1)(a), the board of personnel

appeals shall appoint the arbitrator from the names remaining on the list.

(2) The arbitrator shall establish the dates, times, and places of hearings. The arbitrator may issue subpoenas. Within 14 calendar days prior to the date of a hearing, each party shall submit to the other party a written last best offer package on all unresolved mandatory subjects. The last best offer package may not be changed. The arbitrator may administer oaths and shall afford the parties the opportunity to examine and cross-examine all witnesses and to present evidence relevant to the dispute.

(3) The arbitrator shall decide the unresolved mandatory subjects contained in the last best offer package. The arbitrator shall base findings and opinions on the criteria listed in subsections (3)(a) through (3)(h). Primary consideration must be given to the criteria in subsection (3)(a). The criteria are:

(a) the interest and welfare of the public;

(b) the reasonable financial ability of the unit of government to meet the costs of the proposed contract, giving consideration and weight to the other services provided by the unit of government, as determined by the governing body of the unit of government;

(c) the ability of the unit of government to attract and retain qualified personnel at the wage and benefit levels provided;

(d) the overall compensation presently received by the police officers, including direct wage compensation, holiday pay, other paid excused time, insurance, and all other direct or indirect monetary benefits;

(e) comparison of the overall compensation of other police officers in comparable communities with similar populations in Montana and contiguous states;

(f) inflation as measured by the consumer price index, U.S. city average, commonly known as the cost of living;

(g) the stipulations of the parties; and

(h) other factors, consistent with subsections (3)(a) through (3)(g), that are traditionally taken into consideration in the determination of wages, hours, and other terms and conditions of employment. However, the arbitrator may not use other factors if, in the judgment of the arbitrator, the factors listed in subsections (3)(a) through (3)(g) provide a sufficient basis for an award.

(4) Within 30 days after the conclusion of the hearings or an additional period agreed upon by the parties, the arbitrator shall select only one of the last best offer packages submitted by the parties and shall make written findings along with an opinion and order. The opinion and order must be served on the parties and the board of personnel appeals. Service may be made by personal delivery or by certified mail. The findings, opinion, and order must be based upon the criteria listed in subsection (3).

(5) The cost of arbitration must be borne equally by the parties.

Section 5. Arbitration decision final. Subject to Title 27, chapter 5, part 3, the decision of the arbitrator is final and

is binding on the parties, and the board of personnel appeals shall issue an order containing the decision. Refusal or failure to comply with any provision of a final and binding arbitration award is an unfair labor practice. An order issued by the board of personnel appeals pursuant to this section may be enforced by either party or the board of personnel appeals in the district court for any county in which the dispute arose.

Section 6. Section 7-32-4114, MCA, is amended to read:

"7-32-4114. Restrictions on activities of ~~policemen~~ police officers. (1) Except as provided in subsection (2), a member of the police force may not hold any other office or be employed in any other department of the city or town government. A member of the police force may not strike, as provided in [section 1].

(2) A member of the police force of a third-class city or of a town may be employed in another department of the city or town government. However, the member may not hold political office in the city or town government.

(3) The fact that a person is an officer or member of the police department does not deprive the person's spouse or any member of the person's family of the right to participate in political activity or to hold public or political office.

(4) An officer or member of the police department may participate in political activity ~~provided that~~ if the officer does not do so while on duty or in uniform or ~~that if~~ if the activity does not otherwise interfere with the performance of duties."

Section 7. Codification instruction. [Sections 1 through 5] are intended to be codified as an integral part of Title 39, chapter 31, and the provisions of Title 39, chapter 31, apply to [sections 1 through 5].

Section 8. Saving clause. [This act] does not affect rights and duties that matured, penalties that were incurred, or proceedings that were begun before [the effective date of this act].

Section 9. Effective date. [This act] is effective July 1, 2005.

- END -

Latest Version of HB 483 (HB0483.ENR)

Processed for the Web on April 5, 2005 (1:21pm)

New language in a bill appears underlined, deleted material appears stricken.

Sponsor names are handwritten on introduced bills, hence do not appear on the bill until it is reprinted.

See the status of this bill for the bill's primary sponsor.

Status of this Bill | 2005 Legislature | Leg. Branch Home

This bill in WP 5.1 | All versions of all bills (WP 5.1 format)

Authorized print version w/line numbers (PDF format)

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2005 Regular Session Committee Minutes

Committee minutes for the 2005 regular session are produced in one of two formats:

- written minutes with committee discussion and testimony summarized; and
- written minutes with committee discussion and testimony outlined (but not summarized) accompanied by an audio recording.

To access the written minutes (summarized or outlined), click on the date of the meeting. These minutes are in Adobe PDF format. To view the minutes you need have the free PDF reader software. If you do not have the reader installed on your PC, go to the Adobe web site to download the free PDF reader installation software. If you do not find a link for a particular date, the minutes are not yet available.

Audio Recordings

For minutes with committee discussion and testimony outlined (but not summarized), an audio recording has been produced.

The audio recording is identified by a Real Player icon: . Hold your cursor over the icon to determine the date of the meeting.

To hear the recording, click on the Real Player icon. You must have Real Player to listen to the audio recordings. Click on this image to get a free download of the Real Player. 

If the written minutes are available, they will appear in front of the Real Player icon(s) as the date of the meeting underlined.

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House Standing Committees

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 59th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS AND LABOR

Call to Order: By **CHAIRMAN JIM KEANE**, on February 8, 2005 at 8:00 A.M., in Room 172 Capitol.

ROLL CALL

Members Present:

Rep. Jim Keane, Chairman (D)
Rep. Kathleen Galvin-Halcro, Vice Chairman (D)
Rep. Joe McKenney, Vice Chairman (R)
Rep. Elsie Arntzen (R)
Rep. Bob Bergren (D)
Rep. Tim Dowell (D)
Rep. Kevin T. Furey (D)
Rep. Dave Gallik (D)
Rep. Ralph Heinert (R)
Rep. Llew Jones (R)
Rep. Mike Jopek (D)
Rep. Harry Klock (R)
Rep. Scott Mendenhall (R)
Rep. Mike Milburn (R)
Rep. Don Roberts (R)
Rep. Wayne Stahl (R)
Rep. Dan Villa (D)

Members Excused:

Rep. Jonathan Windy Boy (D)

Members Absent: None.

Staff Present: Bart Campbell, Legislative Branch
Kyanne Kelly, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 532, 2/2/2005; HB 483, 2/2/2005;
HB 481, 2/2/2005; HB 493, 2/2/2005
Executive Action: HB 140, HB 331, HB 419

HEARING ON HB 532

Opening Statement by Sponsor:

REP. DAVE GALLIK (D), HD 79, opened the hearing on HB 532,
Pharmaceutical advertising act.
00:03:25

Proponents' Testimony:

00:07:53 Claudia Clifford, AARP
EXHIBIT(buh31a01)

Opponents' Testimony:

00:14:32 Russ Spencer, Pfizer Drug Company
EXHIBIT(buh31a02)
00:30:47 Barbara Ranf, Montana Chamber of Commerce

Informational Testimony: None

Questions from Committee Members and Responses:

00:32:06

Closing by Sponsor:

00:46:02

HEARING ON HB 483

Opening Statement by Sponsor:

REP. BOB BERGREN (D), HD 33, opened the hearing on HB 483,
Binding arbitration for police officers.
00:52:15

Proponents' Testimony:

00:59:17 Jerry Williams, Police Protective Association
01:02:55 Levi Talkington, Lewistown Police Department
01:05:26 David Cardillio, Billings Police Officer
01:07:44 Pat Clinch, Montana State Council of Professional
Firefighters
01:08:55 Tom Schneider, Public Employees Association
01:11:08 Jim Whitaker, Great Falls
01:11:36 Don Kingman, State, County and Municipal Employees

Opponents' Testimony:

01:13:06 Harry Payne, City of Helena Human Resource
Department
01:15:50 Janie McCall, City of Billings
01:16:50 Steve Golnar, City of Livingston
01:17:56 Alec Hansen, League of Cities and Towns

Informational Testimony:

01:21:47 John Andrew, Department of Labor and Industry

Questions from Committee Members and Responses:

01:22:19

Closing by Sponsor:

01:35:26

HEARING ON HB 481

Opening Statement by Sponsor:

REP. MONICA LINDEEN (D), HD 43, opened the hearing on HB 481,
Create main street program.

01:51:04

Proponents' Testimony:

01:56:09 Andy Poole, Department of Commerce
EXHIBIT(buh31a03)
01:58:22 Chere Jiusto, Montana Preservation Alliance
EXHIBIT(buh31a04)
02:05:07 Sarah Hansen, National Trust for Historic
Preservation
02:10:11 Alec Hansen, Montana League of Cities and Towns
02:13:38 Tom Kaiserski, Governor's Office of Economic
Development
02:15:13 Steve Golnar, City of Livingston
EXHIBIT(buh31a05)
02:16:23 Janie McCall, City of Billings
02:17:10 Mike McGinly, Beaverhead County
02:18:12 Hal Fossum, Downtown Helena
02:22:23 Stephanie Ambrose Tubbs, Helena
02:23:39 James Patrick, Kalispell
02:24:41 Cindi Fargo, Livingston
02:26:19 Gary Amestoy, Richland County Economic Development
Corporation
02:26:53 Duane Ferdinand, Livingston
02:27:27 Mark Baumler, Montana Historical Society
EXHIBIT(buh31a06)
02:27:54 Marsha Youngman, Bozeman City Commission
02:28:11 Randy Gray, Mayor Great Falls

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 59th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS AND LABOR

Call to Order: By **CHAIRMAN JIM KEANE**, on February 9, 2005 at
8:00 A.M., in Room 172 Capitol.

ROLL CALL

Members Present:

Rep. Jim Keane, Chairman (D)
Rep. Kathleen Galvin-Halcro, Vice Chairman (D)
Rep. Joe McKenney, Vice Chairman (R)
Rep. Elsie Arntzen (R)
Rep. Bob Bergren (D)
Rep. Tim Dowell (D)
Rep. Kevin T. Furey (D)
Rep. Dave Gallik (D)
Rep. Ralph Heinert (R)
Rep. Llew Jones (R)
Rep. Mike Jopek (D)
Rep. Harry Klock (R)
Rep. Scott Mendenhall (R)
Rep. Mike Milburn (R)
Rep. Don Roberts (R)
Rep. Wayne Stahl (R)
Rep. Dan Villa (D)
Rep. Jonathan Windy Boy (D)

Members Excused: None.

Members Absent: None.

Staff Present: Bart Campbell, Legislative Branch
Kyanne Kelly, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 463, 2/3/2005; HB 467, 2/3/2005;
HB 468, 2/3/2005; HB 527, 2/3/2005
Executive Action: HB 463, HB 481, HB 483, ✓ HB 532

HEARING ON HB 463

Opening Statement by Sponsor:

REP. TOM FACEY (D), HD 95, opened the hearing on **HB 463**, Increase and extend tax credit for post consumer glass use.

00:03:51

EXHIBIT(buh32a01)

Proponents' Testimony:

00:09:19 Art Compton, Department of Environmental Quality
00:10:38 Margaret Morgan, Wholesome Trident Plant
00:12:36 Gary Forrester, Montana Contractors Association

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:13:17

Closing by Sponsor:

00:22:06

HEARING ON HB 467

Opening Statement by Sponsor:

REP. LARRY JENT (D), HD 64, opened the hearing on **HB 467**, Revise attorney fees for medical benefits in work comp.

00:22:59

Proponents' Testimony:

00:29:32 Chris Ragar, Attorney for Worker's Compensation
Cases
00:39:02 Jed Fitch, Montana Trial Lawyers Association

EXHIBIT(buh32a02)

00:40:39 Don Judge, Teamsters Local 190
00:44:43 Bob Olson, Montana Health Association

EXECUTIVE ACTION ON HB 481

Motion: REP. JOPEK moved that HB 481 DO PASS.

Motion: REP. JOPEK moved that HB 481 BE AMENDED.

Discussion:

EXHIBIT(buh32a03)

03:25:00

Vote: Motion carried 17-1 by voice vote. REP WINDY BOY voted by proxy.

Motion/Vote: REP. JOPEK moved that HB 481 DO PASS AS AMENDED.
Motion carried unanimously by voice vote. REP WINDY BOY voted by proxy.

EXECUTIVE ACTION ON HB 483

Motion: REP. BERGREN moved that HB 483 DO PASS.

Discussion:

EXHIBIT(buh32a04)

03:27:00

Motion: REP. BERGREN moved that HB 483 BE AMENDED.

Discussion:

03:28:00

Vote: Motion carried unanimously by voice vote. REP WINDY BOY voted by proxy.

Motion: REP. BERGREN moved that HB 483 DO PASS AS AMENDED.

Discussion:

03:30:00

Vote: Motion carried 17-1 by roll call vote with REP. MILBURN voting no. REP WINDY BOY voted by proxy.

MINUTES

**MONTANA SENATE
59th LEGISLATURE - REGULAR SESSION**

COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

Call to Order: By **CHAIRMAN VICKI COCCHIARELLA**, on March 22, 2005
at 9:00 A.M., in Room 422 Capitol.

ROLL CALL

Members Present:

Sen. Vicki Cocchiarella, Chairman (D)
Sen. Joe Balyeat (R)
Sen. Duane Grimes (R)
Sen. Dave Lewis (R)
Sen. Glenn Roush (D)
Sen. Frank Smith (D)
Sen. Carolyn Squires (D)
Sen. Donald J. Steinbeisser (R)
Sen. Bill Tash (R)
Sen. Joseph (Joe) Tropila (D)

Members Excused: Sen. Jon Tester (D)

Members Absent: None.

Staff Present: Annie Glover, Committee Secretary
Pat Murdo, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 732, 3/17/2005; HB 179,
3/17/2005; HB 559, 3/17/2005; HB
483✓3/17/2005; HB 295, 3/17/2005
Executive Action: None.

01:56:04

HEARING ON HB 559

Opening Statement by Sponsor:

REP. BOB LAKE (R), HD 88, opened the hearing on HB 559, Letter of credit as security for public contracts.

Proponents' Testimony:

01:57:07 Mr. Keith Colbo, Montana Independent Bankers
01:58:32 Mr. Steve Turkiewicz, Montana Bankers Association
01:58:53 Mr. Harold Blattie, Montana Association of
Counties

Opponents' Testimony: None.

Informational Testimony: None.

Questions from Committee Members and Responses: None.

02:00:50

Closing by Sponsor:

02:01:57

HEARING ON HB 483

Opening Statement by Sponsor:

REP. BOB BERGREN (D), HD 33, opened the hearing on HB 483, Binding arbitration for police officers.

Proponents' Testimony:

02:07:37 Mr. Tim Hawkins, Montana Police Protective
Association
02:11:25 Mr. Dave Cardollo, Union President, Billings
Police Officers
02:13:41 Mr. Ralph Danzer, Senior Sergeant, Lewistown
Police Department
02:14:15 Mr. Tom Schneider, Montana Public Employees
Association
02:16:54 Mr. Troy Holt, Police Officer
02:19:32 Mr. Pat Clinch, Montana State Council of
Professional Firefighters
02:21:18 Mr. Jay Hatton, Laurel Protective
02:21:31 Ms. Jody Guillian, Police Officer

02:22:19 Mr. Doug Oberman, School Resource Officer
02:23:04 Mr. Alan Bardwell, Senior Sergeant of Patrol,
Kalispell Police Department
02:24:01 Mr. Tim Falkner, Police Officer
02:24:25 Ms. Stacy Danzer, Police Officer

Opponents' Testimony:

02:24:50 Mr. Alec Hansen, League of Cities and Towns
02:28:52 Mr. Rick Harden, Human Resources Manager, City of
Billings
02:34:34 Mr. Chris Kukulski, City Manager, City of Bozeman
02:41:42 Mr. Joe Mazurek, City of Great Falls

Informational Testimony:

02:42:12 Mr. John Andrew, Department of Labor and Industry
02:42:35

Questions from Committee Members and Responses:

02:59:01

Closing by Sponsor:

03:03:39

HEARING ON HB 295

Opening Statement by Sponsor:

REP. KATHLEEN GALVIN-HALCRO (D), HD 26, opened the hearing on HB 295, Prohibit expiration of gift cards and certificates.

Proponents' Testimony:

03:09:02 Mr. Brad Griffin, Montana Retail Association
03:12:43 Mr. Cort Jensen, Montana Consumer Protection
Office

Opponents' Testimony: None.

Informational Testimony: None.

03:14:01

Questions from Committee Members and Responses:

03:18:45

Closing by Sponsor:

MINUTES

MONTANA SENATE 59th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

Call to Order: By **CHAIRMAN VICKI COCCHIARELLA**, on March 24, 2005
at 10:00 A.M., in Room 422 Capitol.

ROLL CALL

Members Present:

Sen. Vicki Cocchiarella, Chairman (D)
Sen. Joe Balyeat (R)
Sen. Duane Grimes (R)
Sen. Dave Lewis (R)
Sen. Glenn Roush (D)
Sen. Frank Smith (D)
Sen. Donald J. Steinbeisser (R)
Sen. Bill Tash (R)
Sen. Joseph (Joe) Tropila (D)

Members Excused: Sen. Carolyn Squires (D)
Sen. Jon Tester (D)

Members Absent: None.

Staff Present: Annie Glover, Committee Secretary
Pat Murdo, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: None.
Executive Action: HB 295, HB 517, HB 483, HB 348

vote with SEN. GRIMES and SEN. TASH voting aye. SEN. SQUIRES and SEN. TESTER voted no by proxy.

Vote: Motion carried 9-2 by voice vote with SEN. GRIMES and SEN. TASH voting no.

00:23:49

EXECUTIVE ACTION ON HB 483

Motion: SEN. LEWIS moved that HB 483 BE CONCURRED IN.

Discussion:

Vote: Motion carried 7-4 by voice vote with SEN. BALYEAT, SEN. GRIMES, SEN. STEINBEISSER, and SEN. TASH voting no. SEN. SQUIRES and SEN. TESTER voted aye by proxy.

00:33:08

EXECUTIVE ACTION ON HB 348

Motion: SEN. GRIMES moved to RECONSIDER THE MOTION on HB 348.

EXHIBIT(bus65a03)

Motion: SEN. GRIMES moved that HB 348 BE CONCURRED IN.

Motion: SEN. COCCHIARELLA moved that HB 348 BE AMENDED WITH HB034803.APM.

Discussion:

Substitute Motion: SEN. GRIMES made a substitute motion that HB034803.APM BE SEGREGATED. Motion carried unanimously by voice vote.

Motion: SEN. COCCHIARELLA moved that HB 348 BE AMENDED TO INCLUDE THE REMAINDER OF HB034803.APM.

Discussion:

Vote: Motion carried 8-1 by voice vote with SEN. GRIMES voting no.

Motion/Vote: SEN. TROPILA moved that HB 348 BE AMENDED WITH HB034802.APM. Motion carried unanimously by voice vote.